IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

LETTERS PATENT APPEAL ST. NO.40950 OF 1998
IN
WRIT PETITION NO.3971 OF 1998

Shri Sushilkumar Madhav Bhide .. Appellant

v/s.

Dr.Beck and Company & ors. .. Respondents

Mr.S.R.Nargolkar for the appellant.

Mr.C.U.Singh i/by M/s.Haresh Mehta & Co. for the respondent No.1.

CORAM : R.M. LODHA AND
R.S. MOHITE, JJ.

DATED : 11th April, 2005

P.C.

By separate order passed by us today, we condoned the delay in filing the appeal.

2. We heard the learned counsel for the parties.

3. During the course of motion hearing, the learned counsel for respondent No.1-employer submitted that the appellant has been dismissed from service subsequent to the decision of the learned Single Judge in the writ petition. This fact is not disputed by the learned counsel for the appellant. In view of the fact that the appellant has been dismissed from service, he has to pursue the appropriate proceedings in challenging the said dismissal. In this view of the matter, the complaint filed by the appellant apprehending his

dismissal does not survive. We clarify that the impugned orders shall not come in the way of the appellant in challenging his dismissal from service in appropriate proceedings in accordance with law.

4. With the aforesaid observation, Letters Patent Appeal is dismissed.

(R.M. LODHA, J.)

(R.S. MOHITE, J.)